

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: WALKER et al.

) Examiner: Not Yet Assigned

)

) Group Art Unit: Not Yet Assigned

Serial No.: Not Yet Assigned

)

) Attorney Docket No: 03-057

Filing Date: October 21, 2003

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) **CUSTOMER NO.: 22927**

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For: GAME PRESENTATION IN A RETAIL
ESTABLISHMENT

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as express mail in an envelope with sufficient postage and addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: 10/21/03 By:


Michael D. Brinton

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants submit herewith patents, publications or other information of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a thorough search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Nor shall the filing of this information disclosure statement be construed as an admission against interest in any manner.

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on the accompanying Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items listed on the enclosed copy of Form PTO-1449 and to independently ascertain their teaching.

1. ☐ Applicants respectfully direct the Examiner's attention to the pending U.S. patent applications listed on the enclosed Form PTO-1449. The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application. Applicants would be pleased to provide the Examiner with a copy of these applications upon request.
2. ☐ For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a European Search Report from a counterpart European application is enclosed. Such items are marked as reference letter(s): _____.
3. ☐ For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application. Such items are marked as reference letter(s): _____.
4. ☒ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:

☒ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.

☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491.

[] 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office Action on the merits.

5. [] No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. 1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6. [] A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c) after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action). The fee due under 37 C.F.R. §1.17(p) is to be paid as set forth in paragraph 10 below.
7. [] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in accordance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a Notice of Allowance, but before the payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
 - b. this document is to be considered as a petition requesting consideration of the information disclosure statement.
 - c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 10 below.

8. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:

☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition to Withdraw Application from Issue;

☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition to Withdraw Application from Issue.

☐ The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 10 below.

9. ☐ I hereby certify:

☐ that each item of information contained in the items listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. A copy of such communication is enclosed.

☐ that no item of information contained or listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of information was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

10. ☐ Please accept payment of the fees due as indicated below:

☐ A check in the amount of \$180.00 is enclosed in payment of the fee due under 37 C.F.R. 1.17(p).

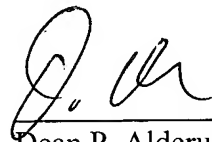
☐ The Commissioner is hereby authorized to charge \$180.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(p).

11. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0271. A copy of this authorization is attached.

12. ☐ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed concurrently with a Request for Continued Examination.

Respectfully submitted,

October 21, 2003
Date



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INFORMATION DISCLOSURE CITATION				Docket Number 03-057		Serial Number Not Yet Assigned	
				Applicants WALKER et al.			
				Filing Date October 21, 2003		Group Art Unit Not Yet Assigned	

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIAT E
	A	3,129,004	04/14/64	Ritzler	273	143	
	B	3,468,476	09/23/69	Keegan	235	23	
	C	4,815,741	03/28/89	Small	273	138	
	D	4,854,590	08/08/89	Jolliff et al.	273	138	
	E	5,076,613	12/31/91	Kovacs	283	106	
	F	5,085,435	02/04/92	Rossides	273	138	
	G	5,099,232	03/24/92	Howes	340	815.21	
	H	5,269,522	12/14/93	Chagoll et al.	273	138 A	
	I	5,361,871	11/08/94	Gupta et al.	186	61	
	J	5,368,129	11/29/94	Von Kohorn	186	52	
	K	5,373,440	12/13/94	Cohen et al.	364	410	
	L	5,392,066	02/21/95	Fisher et al.	186	35	

FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	Translation	
							Yes	No

OTHER DOCUMENTS <i>(Including author, Title, Date, Pertinent Pages, Etc.)</i>		

EXAMINER	DATE CONSIDERED:
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIAT E
	M	5,620,182	04/15/97	Rossides	273	138.2	
	N	5,729,697	03/17/98	Schkolnick et al.	395	223	
	O	5,806,852	09/15/98	Howes	273	138.1	
	P	5,813,913	09/29/98	Berner et al.	463	40	
	Q	5,857,175	01/05/99	Day et al.	705	14	
	R	5,859,414	01/12/99	Grimes et al.	235	383	
	S	5,883,620	03/16/99	Hobbs et al.	345	168	
	T	5,912,743	06/15/99	Kinebuchi et al.	358	442	
	U	5,918,211	06/29/99	Sloane	705	16	
	V	5,933,811	08/03/99	Angles et al.	705	14	
	W	5,933-813	8/03/99	Teicher et al.	705	26	
	X	5,939,695	08/17/99	Nelson	235	383	

FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	Translation	
							Yes	No

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EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIAT E
.	Y	5,962,831	10/05/99	Byrley	235	380	
	Z	5,979,757	11/09/99	Tracy et al.	235	383	
	AA	6,048,268	04/11/00	Humble	463	17	
	BB	US 2002/0013744 A1	01/31/02	Tsunenari et al.	705	28	
	CC	US 2002/0107610 A1	08/08/02	Kaechler et al.	700	232	
	DD	US 6,439,997 B1	08/27/02	Brasseur et al.	463	40	
	EE	US 6,443,843 B1	09/03/02	Walker et al.	463	42	
	FF	US 6,447,395	09/10/02	Stevens	463	18	
	GG	US 2002/0138342 A1	09/26/02	Clark et al.	705	14	
	HH	US 2003/0066883 A1	04/10/03	Yu	235	382	

FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	Translation	
							Yes	No

OTHER DOCUMENTS <i>(Including author, Title, Date, Pertinent Pages, Etc.)</i>		

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		Applicants WALKER et al.	
		Filing Date October 21, 2003	Group Art Unit Not Yet Assigned
OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)			
	XX	Hughes, Arthur Middleton, "Customer Specific Marketing", Database Marketing Institute (wysiwyg://98/http://www.dbmarketing.com/articles/art115.htm), download date: May 30, 2000.	
.	YY	"You Can Win Pick up an Entry Blank at any Big Y World Class Market", (http://www.bigy.com/promo/winprmo.htm), download date: May 30, 2000.	
.	ZZ	"Retail Solution Show Special-Alphanumeric Advocates In-Store TV Advertising", Retail Week, June 2, 2000 Pg.21.	
EXAMINER		DATE CONSIDERED:	
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.			

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		WALKER et al.			
		Filing Date	October 21, 2003	Group Art Unit	Not Yet Assigned
OTHER DOCUMENTS <i>(Including author, Title, Date, Pertinent Pages, Etc.)</i>					
	II	"My Jackpot.com", Undated.			
	JJ	"Omron ITM", The Magazine of Bank Management, January 1989 Products & Services; Pg. 56.			
	KK	Frensholt, Carol, "The New Buy-Ographics; Supermarket Promotions; Includes Related Articles", Supermarket Business, May 1995, Vol. 50;No. 5; Pg. 26; ISSN: 0196-5700.			
	LL	Abstract: "POS Influences Buyer Behaviour", Retail World, May 1997.			
	MM	Brochure: "@pos.com", copyright 1999.			
	NN	Brochure: "NCR ScanMaster", copyright 1999, NCR Corporation.			
	OO	"Catalina Marketing Solidifies In-Store Capabilities Through Acquisition of CompuScan," PR Newswire, April 30, 1999, Section: Financial News.			
	PP	Orenstein, David, "Web Service Targets Shoppers at Checkout", Computerworld, July 5, 1999, News – Early; Pg. 25.			
	QQ	Sciacca, Patrick; Zimmermann, Kim Ann, "The Right Moves", Supermarket News, December 13, 1999, Pg. 19; ISSN: 0039-5803.			
	RR	"Tie-up to Combine E-Service, E-Payment at Point of Sale", Business World, March 6, 2000, Pg. 32.			
	SS	Pepe, Michael, "@POS.Com Grants License to Hand Held Products – Vendors Team to Offer POS Solutions", Computer Reseller News, March 20, 2000.			
	TT	"In-Store Instant-Win Games", (http://www.catmktg.com/manufacture/frm_main_instant.html), download date: May 10, 2000.			
	UU	"Welcome to @pos.com: IPOS Transaction Computer", (http://atpos.com/prod_serv/ipos.html), download date: May 10, 2000			
	VV	"Welcome to @pos.com: Transaction Platforms", (http://atpos.com/prod_serv/platforms.html), download date: May 10, 2000.			
	WW	Ellis, Kristi Lamont, "Interactive Selling" Point of Purchase Magazine, (http://www.popmag.com/archives/0200/feb00stor2.html), May 19, 2000.			
EXAMINER			DATE CONSIDERED:		
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